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EXAMINER

BOAKYE, ALEXANDER O

ART UNIT PAPER NUMBER

2667

DATE MAILED: 04/06/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/261,017

Applicant(s)

KOKKINEN, HEIKKI

Examiner

Alexander Boakye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-7 and 9-11 is/are allowed.
- 6) ☒ Claim(s) 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al. (US Patent # 6,205,148) in view of Ohanian et al.(US Patent # 6,122,287).

Regarding claim 8, Takahashi discloses a central unit (column 6, lines 54-56 ; ARP/NHRP Server, corresponds to the claimed central unit) in a communication system (Fig. 11), comprising a signaling unit (the signaling unit is resident in the ARP/NHRP server of Fig. 11) characterized in that it is equipped so as to use in a signaling connection with a terminal (column 8, line 2; IP user of Fig. 11 corresponds to the claimed terminal) of the communication system at least one signaling protocol, to which end it comprises means for indicating to the terminal the signaling protocols supported by the central unit (column 3, lines 21-27).

Furthermore, Takahashi teaches means for receiving from the terminal an indication about the capability of the terminal of supporting a particular one of the signaling protocols the central unit indicated to the terminal (column 3, lines 23-27) and

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means for setting up a signaling connection , using a selected signaling protocol between the central unit and the terminal (column 6, lines 39-56). Takahashi does not disclose a network interface.

Takahashi discloses all the subject matter of the claimed invention with the exception of a network interface. However, Ohanian from the same or similar fields of endeavor teaches a network interface (column 7, line 7). Thus, it would have been obvious to an artisan at the time of the invention to incorporate a network interface such as that of Ohanian in the communication network of Takahashi in order to provide network access. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a network interface as taught by Ohanian in the communication network of Takahashi with the motivation being that it provides capability for the communication network to transmit and receive messages from the resource modules and provides access to the telephone network.

Allowable Subject

2. Claims 1, 3-7 and 9-11 are allowable.

The following is a statement of reasons for the indication of allowable subject matter: Claims 1, 3, 4, 5, 6, 9, 10 and 11 are allowable because the prior art of record does not teach a message (201) is sent from the central unit's network interface (107) to the terminal, indicating the signaling protocols supported by the central unit, in response to an answer message (202) sent by the terminal indicating the terminal's selection for signaling protocol, a connection is established (203,204) between the central unit's network interface (107) and the central unit's signaling unit (105) that supports the

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signaling protocol chosen by the terminal. Claim 7 is considered allowable because the prior art of record does not teach the method being further characterized in that in response to a situation in which a change message sent by the central unit indicating the signaling protocols supported by the central unit after a change causes a conflict, a message is sent to the central unit including a code for signaling protocol support and an associated value which is a binary number and in which each bit represents a particular signaling protocol and in which the bits that represent protocols that cause a conflict are set.

Response to Arguments

3. Applicant's arguments filed 01/26/04 have been fully considered but they are not persuasive.

A) At pages 6 and 7, in independent claims 1, 6, 8, 9 and 10, applicant argued that the Office Action acknowledges that Takahashi does not disclose the network interface (107) at page 3, line 5 of the Office Action. The applicant said even assuming that Ohanian does disclose an element that is fully equivalent to the network interface (107), claim 1 describes interactions involving the network interface(107) that are nowhere taught or suggested by either Ohanian or by Takahashi.

B) In response, the examiner maintains that Ohanian from the same or similar fields of endeavor disclose a network interface (column 7, line 7; see 50, Fig. 2). Thus, it would have been obvious to an artisan at the time of the invention to incorporate a network interface such as the one taught by Ohanian into the communication network of Takahashi in order to provide network access.

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4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (703) 308-9554. The examiner can normally be reached on M-F (from 8:30am to 6:pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (703) 305-4378. The fax number is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application of proceeding should be directed to the group receptionist whose telephone number is (703) 305-4750.

Alexander Boakye

Patent Examiner

AB

4/2/04

KWANG BIN YAO
PRIMARY EXAMINER

